

**VILLAGE OF TIVOLI BOARD OF TRUSTEES
REGULAR BOARD MEETING MINUTES
December 20, 2017**

A meeting of the Village Board of Trustees was held on December 20, 2017 at the Historic Watts DePeyster Hall, Tivoli, NY. Mayor Griffith opened the regular meeting at 7:03 PM.

Present: Mayor Griffith, Deputy Mayor Majer, Trustee Ezrati, Trustee Schneider, Trustee Murphy

Media: PANDA TV

Public: Christine Chale, Counsel; Peter Mauney, Thomas Crisci, Sr., Kathy O'Connor, Navin Sharma, Peter Walsh, Bettina Mueller, Kathy Rebillot, Marty Clarke, Helvia and Walter Tauselt, Joe Hagan, Alex Zane, Ken McCarthy, Jeanette Canaday and Trish Tieger

The Mayor asked all present at the meeting to stand for the Pledge of Allegiance.

The Clerk's report included:

- Sale of 535 trash tags
- Three payrolls were processed
- Deputy Clerk attended one Planning Board meeting

Upcoming events: Village Clerk's Office will be closed Monday, December 25, 2017 and Monday, January 1, 2018 in observance of the Christmas and New Year's holidays.

On a motion by Deputy Mayor Majer, seconded by Trustee Schneider, the minutes for the November 15 regular board meeting were approved, all in favor.

On a motion by Trustee Ezrati, and seconded by Trustee Murphy, the Treasurer's Report for Abstract #7 totaling \$30,647.22 was approved. Trustee Schneider moved that the bills be paid for the abstract as presented and Deputy Mayor Majer seconded the motion, all in favor.

Zoning Report

Trustee Ezrati presented the Zoning Report which was provided by John Fenton, Building Inspector, and Zoning Enforcement Officer; Building Permits, Inspections, and Violations were addressed.

Mayor Griffith summarized the agenda and opened the meeting for public comments on agenda items only. There were no public comments.

The next regular meeting will take place on Wednesday, January 17, 2018 at 7:00pm at the Historic Watts dePeyster Hall. The workshop will be held at 6:00pm before the meeting. There will be a workshop on January 10, 2018 at the Historic Watts DePeyster Hall at 7:00 pm.

RESOLUTION #57; Budget Modifications; motion made by Deputy Mayor Majer, seconded by Trustee Murphy; all in favor.

RESOLUTION # 58; Authorizing Planning, Zoning and Code enforcement Fee Schedules; motion made by Trustee Schneider, seconded by Trustee Ezrati; all in favor.

RESOLUTION #59; Set Public Hearing regarding Local Law No. C (Proposed) 2017; motion made by Trustee Ezrati, seconded by Deputy Mayor Majer; all in favor.

RESOLUTION #60; Authorizing sale of dump truck; motion made by Trustee Schneider, seconded by Trustee Murphy; all in favor.

RESOLUTION #61; Intent to transfer ownership and management of the Village's water system and sewer system to the DCWWA; motion made by Trustee Ezrati, seconded by Deputy Mayor Majer; all in favor.

Mayor Griffith delivered a prepared statement to those present at the meeting. He addressed the grant, study, and the results of each. (Statement is attached.) The system is old, and the costly repairs and upgrades are so needed. Mayor Griffith explained the process of transferring.

RESOLUTION #62; Authorizing submission of funding applications for water system and wastewater system capital project needs; motion made by Deputy Mayor Majer, seconded by Trustee Murphy; all in favor.

Trustee Reports:

Trustee Ezrati

LOSAP Portfolio; if a firefighter earns 50 points or more they are eligible for \$500 from the LOSAP program.

Water/Sewer:

Well Report

Water Quality Report

- Two water samples taken each month
- No violations
- Testing every month
- Two different locations are tested monthly; water quality met standards

Following the report provided by Trustee Ezrati, Mayor Griffith spoke of the water main break which did last 3 ½ - 4 days. The level of the tower dropped by 30 feet.

The property owner was responsible, and did in fact repair that line.

Trustee Schneider

- Court Report: \$ 2,114.00 was remitted to the Office of the State Comptroller.

Trustee Murphy

Winterfest took place on Saturday, December 9, 2017, and was a huge success.

Deputy Mayor Majer

- RE: Library Events; Please See Attached
- Winterfest was once again a classic holiday event. Deputy Mayor Majer thanked the Hansen family for the horse and wagon rides, Tom Crisci, Sr. and the Tivoli Fire Department. She also thanked Laura Pepitone of the Tivoli Free Library and the many sponsors. Trustee Schneider added the craft fair was a success.

Mayor Griffith

Mayor Griffith mentioned the Bard Free Press and Hayden Hard published an article regarding the Village. Hayden also viewed the water and sewer meeting.

We do now have a new dump truck and new sander. There will be a need now to look for a new pick up. The board is developing a strategy on how purchase this truck.

Painting will be completed in the Zoning Office and hallways of Village Hall.

At this point an anonymous donor has donated the money which would cover the expense of sanding and painting the front doors of Village Hall.

Public Comment

Joe Hagan asked for info regarding the costs of the ownership of the water system; whether the Village kept the system or if it was transferred.

Trustee Ezrati remarked that 9 million dollars worth of infrastructure needs to be replaced. She explained the costs and how it could progress over time. Also, commented was that the DCWWA can provide efficiency.

Trustee Schneider commented on the resolution and how it allows for searching of funding whether it stays or transfers. Trustee Ezrati mentioned with 12 years on the Village Board the changes in the administration has had an impact on it. Trustee Schneider commented the DCWWA could provide continuity of service.

Joe Hagan asked where they were located; Poughkeepsie.

Marty Clarke asked what is the core of the objections with residents? Some folks do not trust the results of the study. Many object to paying more for their water service.

Trustee Ezrati mentioned some say there will be no control. However, most people do not have control over the electric service delivered to their homes either.

Mayor Griffith responded it is an emotional decision and there are not that many strong objections. There could be an increase of 2% every year.

Helvia Tauselt thanked the Board and said she believes the Village should move forward as quickly as it can.

Peter Walsh spoke of the time frame, and 12-18 months seemed to be a realistic thought.

Kathy O'Connor is in agreement with going with the Authority and asked if it could include the promotion of the conservation of water, and can assorted types of items be taken into consideration which would help conserve usage.

Pete Mauney was opposed, but is now in favor. This is an "uncomfortable" situation to be in. Many years bypassing raising rates and agonizing over that has put the Village in this situation. The Board is now making difficult decisions, and he feels it is successful.

Pete Walsh, BRAVO to the Board, and also Theatre on the Road for the show on the date of Winterfest. He also asked questions regarding the dump truck.

Joe Hagan asked if representatives have been present in the Village, others who have transferred to the DCWWA. Aileen Rohr has been here, and she feels the transfer has allowed her to work on other projects. She has no regrets switching over.

Marty Clarke said over time the water system has become "bigger than us." Trustee Ezrati went on to say technology can be utilized in the future versus what has been used in the past and will be cost-effective measures.

Navin Sharma asked if the agreements encompassed the administration running the entire system or not. Trustee Schneider mentioned that not all of the money for the system would stay here.

Christine Chale added that it's like transferring assets. Once the system is transferred; it can never come back to the Village. With that in mind, establishing an Advisory Committee and having it present at the table is an idea so the community has input.

Pete Mauney requested that some input be built in regarding the water tower.

Tom Crisci, Sr., spoke of the design of the new tower. He believes the present tower is not big enough for fire protection. And, the location of the tower may move and esthetics should be kept in careful consideration.

Alex Zane thanked the Board, and asked they maintain as much control as possible.

Trustee Murphy added the DCWWA will enable the Village to have a future.

Mayor Griffith mentioned that Village businesses have to be thought of, as well. The water main breaks are affecting the reliability of our businesses. Fire protection is an issue, and has been a part of the decision making.

Ken McCarthy applauds the evening, and the resolution to transfer and the big decision that has been made by the Village Board.

On a motion by Deputy Mayor Majer and seconded by Trustee Schneider, the meeting was adjourned at 8:21 PM, all in favor.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robin L. Bruno".

Robin L. Bruno
Village Clerk

Trustee Majer
December 20

Tivoli Free Library

Holiday Gift Wrapping

Need space to wrap presents in secret? East room of library, after noon Thursday and Friday. Bring supplies or use what is there.

CLOSED 12/23-26

PageTurners Book Club: The Snow Child by Eowyn Ivey

set in 1920s Alaska

January 18, 2018 - 8:00 pm

Tech Assistance for Seniors

Senior citizens, join us and get some help with technology! A Red Hook High School student will be here to help seniors with their devices, phones, tablets, laptops, and etc. Bring your own device(s) or use our PCs here at the library. No need to sign-up, just stop by! Happening each Saturday for the next 6-weeks 10- 2pm

Pre-School Story Hour with Miss Penny

Tuesdays from 10:30- 11:30

Crea-Tuesdays 4:40- 5:30

Weekly arts and crafts for 5-10 year olds

Scrabble Night!

Second Wednesday of each month 5:30-7
for 18 and up, coffee and snacks provided

Hooks and Needles, Yarns and Thread

Thursdays from 10- 2pm in the east room

Tarot Club

Every other Thursday 6-7 in the east room

Having trouble getting to the library? Homebound services can bring books and materials from the Red Hook library 758-3241

Historic Resources:

Montgomery Place

The Montgomery Place grounds are open every day from dawn to dusk free of charge. Please park only in the Visitor Center parking lot.

Please help us maintain the beauty of these grounds by carrying out whatever you bring in.

Trash bins are located only at the Visitors Center.

Please do not disturb or collect plants, animals, or rocks.

When walking the trails, please remain on the paths to assist with erosion control and reduce incidents of Lyme disease.

The Sawkill Trail and South Woods Trail have uneven terrain and are occasionally steep and muddy. The West Lawn Trail features sloping terrain.

Pets are not allowed on the property.

Olana

Monday, January 1

First Day Hike at Olana

Have you ever wanted to step into a piece of art? Now is your chance! Help us kick off the new year right by joining us for a walk along the artist-designed Ridge Road carriage drive, as we explore Olana as an inspiration for the creation of art through the centuries. Leashed pets are allowed.

Check-in: 10:30 AM | Start Time: 11 AM | Approx. distance: 1.5 miles | All Ages
CHECK OUT OLANA.ORG

Natural Resources

Deer season is over.

And there are probably still ticks.

WINTERFEST was terrific. Kids. Hot dogs. Chili. Horse-drawn wagon rides. Santa. 2nd annual production of A Christmas Carol.

Thanks to the Tivoli Fire Company (especially Tom Crisci), the Tivoli Free Library, Historic Red Hook, Murray's, Santa Fe, Broadway Pizza, The Corner, Tivoli Bread and Baking, and to everyone who made donations toward the festivities. I owe a debt of gratitude to Clerk Bruno- who knows everything, is endless patient with my questions, and makes it look like I know what I'm doing.

Statement for 12/20/17 passage of DCWWA transfer resolution read by Mayor Griffith before the passage of Resolution #61 of 2017

Tonight the Village of Tivoli takes an important first step to address our ancient and crumbling water and sewer infrastructure. Tonight is the culmination of three and a half years of diligent effort by Village government and residents, spanning two Mayoral administrations, to find the best way forward and ensure that residents of this community, now, next year, and in decades to follow have safe and dependable water and sewer services at the best possible cost.

That Tivoli has suffered for at least the last two decades from old infrastructure and deferred maintenance on both systems is beyond dispute. We had another severe break on Broadway exactly one week ago. And in a moment of painful irony, as I was writing this statement at 2:30PM this afternoon, we were alerted by a resident of yet another break on Feroe Avenue. Our systems are in bad shape. That is a factual statement on which we can all agree. But what is to be done? That is the question which Tivoli's government and residents have been grappling with, arduously, in recent years.

In 2014 my predecessor Mayor Bryan Cranna and the Village Board applied for and won an \$80,000 grant from Dutchess County's Shared Services and Consolidation Grant Program to fund an exhaustive engineering and financial analysis of all aspects of the water & wastewater systems. 13 highly qualified engineering firms answered the RFP to perform the study. From this broad field, the Village Board chose Tighe & Bond, a firm with over 150 years of water & sewer experience. It took them 18 months to complete the studies.

Tivoli was also able to develop a third report under the grant. This is a transfer feasibility report framing projected costs under continued Village ownership and projected costs to rate-payers if we were to transfer ownership and operation of both systems to the Dutchess County Water and wastewater authority.

These three reports were made available to the Board and residents in May of 2017. Since that time, hard copies have been available for public review at the Clerk's office and the Tivoli Free library and also available digitally on the Village Website.

To explain and field questions about the findings in the reports, the Village held two public presentations with representatives from Tighe & Bond and the DCWWA on May 18th and June 22nd of this year. A third, public, water and wastewater forum was held with the Board and residents on November 16th. Videos of these meetings have been available for subsequent viewing on PANDA23 and the Village website for months. Attention to the entire process, the grant, reports, and meetings has been consistently advertised in the Village's quarterly newsletter and in the last two state of the Village addresses delivered in April 2016 and 2017. Discussions among residents have circulated on social media. I spoke about it explicitly when asked to address the Tivoli Merchants & Artist's business association. No one in this Village can claim that they didn't know about these critical discussions, the state of our water and sewer systems, and the decision before the Board and the systems' users.

What was in the reports?

Briefly stated, the reports delivered the following information to our community. Our water & wastewater systems are old, and in need of myriad costly repairs and upgrades. The reports organized these needs into four prioritization categories: immediate, 0-5 years, 6-11, years, and 11-20 years. All these were given a cost estimates, including a 20% contingency to anticipate surprises, change orders, unanticipated costs, etc. The reports indicate that our little Village, whose entire annual operating budget is just one million dollars, needs \$9.5 million to repair and upgrade our two systems.

Within the context of this daunting need. There is a choice: continued Village ownership, in which this and future Village Boards seek the grants and loans to fund repairs and replacement, administer the funding and capital projects, and hires grant writers, engineers and project managers to assist the Village,

OR, to transfer ownership and operation to the DCWWA and let that institution find and administer the funding and execute the capital projects the systems require. In either scenario our quarterly bills will increase dramatically.

What is the DCWWA? It is not Dutchess County. It is not a private for profit company or corporation. To be very precise, it is a public benefit corporation created by an act of NYS in 1991 whose sole chartered purpose is to take over and run troubled water and sewer systems from public and private entities in Dutchess County who are unable to bear the burden of maintaining and operating these services. The DCWWA has 23 full time staff including grant writers, project managers, technicians and administrators.

Since the release of the reports, after 8 solid months of ongoing and public deliberation, it is the unanimous opinion of the Board of Trustees, that the best path to ensure a reliable future for water and sewer services for residents of Tivoli IS to transfer to the Authority. We have spent months engaging with and polling this community and we know we have the support of the majority of residents. It is our job to represent and reflect the will Tivoli voters, and also to lead our community, where challenges are difficult and daunting. I believe we are doing a lot of the former, and perhaps a little of the latter, here this evening.

We know this is a controversial decision, there are opponents. Their views and ours have been fully voiced and debated over the last 8 months. There are many arguments on both sides for and against transfer. They were exhaustively aired in the memorable community forum of November 16th. I will not reiterate them all this evening, because they will be heard again. Tonight is the beginning of a long process. Let me explain the process which begins with this vote. Tonight we vote our intent to transfer our systems to the DCWWA. They will draft a transfer agreement which will go back and forth between them and the Village until it is agreeable to both parties. This will likely take many months. When Tivoli and the DCWWA authorize a transfer agreement, the process then heads to the Dutchess County Legislature. They must take a formal action to draw a service district around the users of water & sewer in Tivoli to allow the DCWWA to come in. That

act of the County Legislature is subject to a 45 day permissive referendum. If enough signatures are submitted to the legislature there will be a vote in the Village on the creation of the water & sewer service district. If that is voted up, then the district stands and the DCWWA can take over. If it is voted down then the district is not drawn and the Village of Tivoli is stuck with the water & sewer systems.

We respect the viewpoints of those who will disagree tonight and in a possible eventual plebiscite if it comes to that. We five are all residents of the Village and we pay the same bills that you do, we get our water from the same tower and it travels through same pipes. We have studied and deliberated and agonized over this choice with the best of our hearts and minds. We have been elected by this community to face and make these decisions. We believe transfer is the right choice. It is with a clear conscience and a confident expectation of a brighter future for Tivoli, that I will now ask the trustees for a roll call vote.